

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

WILLIAM EAKES, III, )  
Petitioner, )  
v. ) Case No. 3:10-0367  
DAVID SEXTON, WARDEN, ) Chief Judge Haynes  
Respondent. )

**O R D E R**

In accordance the Memorandum filed herewith, Respondent's motion to dismiss (Docket Entry No. 44) is **GRANTED**, the petition for the writ of habeas corpus is **DENIED** and this action is **DISMISSED with prejudice**. The Court **GRANTS** Petitioner a Certificate of Appealability under 28 U.S.C. § 2253(c) on his Brady claims.

This is the Final Order on this action.

It is so **ORDERED**.

ENTERED this the 8<sup>th</sup> day of January, 2014.



\_\_\_\_\_  
William J. Haynes, Jr.  
Chief United States District Judge